

City of Northampton
MASSACHUSETTS

In City Council, April 16, 2020

Upon the recommendation of the Mayor and the Department of Public Works

**20.041 An Order to Authorize Acceptance of Easements from MassDOT for Damon Road
Reconstruction**

Ordered, that

WHEREAS, Damon Road and Bridge Road are public ways in and for the city of Northampton; and,

WHEREAS, Damon Road and Bridge Road are in need of reconstruction, and the city, in conjunction with the Massachusetts Department of Transportation (“MassDOT”), is undertaking the reconstruction and widening of the ways, including drainage improvements and slope stabilization, from Bridge Street (Route 9) to the easterly section of Bridge Road west of King Street (Routes 5 and 10) (“the Project”); and,

WHEREAS, the reconstruction of Damon Road from Route 9 to Route 5 is currently programmed on the 2020 Pioneer Valley Region Transportation Improvement Program (TIP) at a total cost of \$10,043,653, with \$8,034,922 in federal transportation funds reserved to fund the project with the City of Northampton responsible for the costs of right-of-way acquisition and any water and sewer utility improvements; and

WHEREAS in order to proceed with the Project, the city needs to acquire i) permanent fee interests, ii) permanent easements, iii) permanent utility easements; and iv) temporary construction easements (“the Land Acquisitions”); and

WHEREAS, the Project and the Land Acquisitions are shown on a plan entitled “Alteration Plan of Damon Road and Bridge Road Prepared for the City of Northampton,” (“Plan”) dated February 28, 2019, and signed and sealed by Jeffrey P. Bradford, PLS, dated April 12, 2019; and

WHEREAS, on May 16, 2019, the Northampton City Council passed on second reading authorization to acquire all parcels needed to be acquired for the Project with the exception of the railroad land owned and controlled by the MassDOT, which the city cannot acquire absent agreement of MassDOT; and

WHEREAS, MassDOT has agreed to transfer an easement to the city for nominal consideration on the terms and conditions set forth in an instrument entitled “Easement Agreement;” and

WHEREAS, the City Council must approve the acquisition in order to accept the easement from MassDOT.

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by purchase, gift, eminent domain, or otherwise, of three (3) permanent easements and one (1) temporary construction easement for the purposes of widening and reconstructing Damon Road, as shown on the Plan and on the terms and conditions set forth in the proposed Easement Agreement. No appropriation is needed for this acquisition because the easement is to be conveyed for nominal consideration.